

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

ANITA KINCADE,

Plaintiff,

vs.

MERCK & COMPANY,
INCORPORATED (a/k/a MERCK &
CO., INC.), et al.,

Defendant.

CASE NO. 06-CV-2042-H-BLM

**ORDER SCHEDULING
RESPONSE DATE TO
PLAINTIFF'S MOTION TO
REMAND**

Defendants removed this action on September 21, 2006. (Doc. No. 1.) Plaintiff filed a motion to remand on October 13, 2006. (Doc. No. 7.) Defendants shall respond to Plaintiff's motion to remand on or before **November 13, 2006**, and Plaintiff shall file any reply on or before **November 20, 2006**. The Court will either submit the motion on the papers pursuant to its discretion under Civil Local Rule 7.1(d)(1), transfer the case pursuant to an order from the Judicial Panel on Multidistrict Litigation, or set a hearing date after receiving Defendants' response. Additionally, the Court notes that several similar cases have been transferred with pending motions from the Southern District of California to the ongoing multidistrict litigation, In re Vioxx Products Liability Litigation, currently proceeding in the Eastern District of Louisiana.

IT IS SO ORDERED.

DATED: October 20, 2006


MARILYN L. HUFF, District Judge
UNITED STATES DISTRICT COURT

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